UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,811	09/27/2001	Lee Adam Fisher	01.058.01	1189

23117	7590	09/22/2005

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EXAMINER
REVAK, CHRISTOPHER A

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/963,811	FISHER, LEE ADAM
	Examiner	Art Unit	
	Christopher A. Revak	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 September 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-51_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-51_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _27 September 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-51 are rejected under 35 U.S.C. 102(e) as being anticipated by

Cheswick et al, US H1994 H.

As per claims 1,15,29, and 43, it is taught by Cheswick et al of a method and

computer program product comprising a computer program operable to control a server

computer, said computer program comprising address provision logic operable to

control said server computer to provide an address for accessing a network to a client

computer, in response to a request for an address from said client computer, token

validation logic operable in response to said provision of said address to control said

server computer to contact said client computer at said address and to detect a

presence of a predefined token on said client computer (col. 2, lines 38-52; col. 3, lines

6-25; col. 4, lines 56-64; and as shown in Figure 5).

As per claims 2,16, and 30, Cheswick et al discloses wherein said token validation logic is operable to control said server computer to check whether said detected predefined token is valid (col. 3, lines 10-16).

As per claims 3,17, and 31, Cheswick et al teaches that said token validation logic is operable to control said server computer to revoke said address from said client computer if said token is not detected or is not valid (col. 3, lines 10-16).

As per claims 4,18, and 32, it is disclosed by Cheswick et al that said token validation logic is operable to control said server computer to record machine data from said client computer if said token is not detected (col. 3, lines 53-67).

As per claims 5,19, and 33, Cheswick et al teaches that said token validation logic is operable to control said server computer to signal to said client computer that access has been denied if said token is not detected (col. 3, lines 10-16).

As per claims 6,20,34, and 45, the teachings of Cheswick et al disclose that the predefined token indicates the presence of software allowing remote configuration of said client computer (col. 3, lines 53-67).

As per claims 7,21,35, and 46, Cheswick et al discloses that said token validation logic is operable to control said server computer to install said remote configuration software on said client computer if said token is not detected (col. 3, lines 10-16 & 53-67).

As per claims 8,22,36, and 47, Cheswick et al recites that said predefined token indicates the presence of anti virus software on said client computer (col. 3, lines 64-67).

As per claims 9,23, and 37, it is disclosed by Cheswick et al wherein said server computer comprises a DHCP server and said address comprises an IP address (col. 4, lines 56-64).

As per claims 10,24, and 38, Cheswick et al teaches that said address provision logic is operable to control said server computer to request an address from a further server computer and to provide said address to said client computer (col. 4, lines 56-64).

As per claims 11,25,29,and 48, Cheswick et al discloses that said further server computer is a DHCP server and said address comprises an IP address (col. 4, lines 56-64).

As per claims 12,26,40, and 49, it is taught by Cheswick et al that said predefined token comprises files (col. 3, lines 6-13).

As per claims 13,27,41, and 50, the disclosure of Cheswick et al recites that said predefined token comprises a smart card (as shown in Figure 3 as item #200).

As per claims 14,28,42, and 51, Cheswick et al teaches that the predefined token comprises data identifying a hardware component of said client computer (col. 3, lines 10-13).

As per claim 44, it is disclosed by Cheswick et al of transmitting machine data about said client computer to said server computer in response to a request for said data from said server computer (col. 3, lines 6-13).

Conclusion

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Christopher A. Revak whose telephone number is 571-

272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.
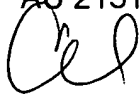
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Revak
Primary Examiner
AU 2131

CR

September 17, 2005